

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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|--------------------------|------------|----------------------|
| EDDY PINEDA, | : | |
| | Plaintiff | : |
| v. | | CIVIL ACTION 17-5833 |
| RICHARD E. CHROMIAK; and | : | |
| WOLFE TRUCKING, INC.; | : | |
| | Defendants | : |
| | | : |
| | | : |

ORDER

AND NOW, this 10th day of January, 2019, upon consideration of Defendants', Wolfe Trucking, Inc. and Richard E. Chromiak, Motion for Partial Summary Judgment (Dkt. No. 40) filed November 15, 2018;¹ upon consideration of Plaintiff, Eddy Pineda's Response to Defendants' Wolfe Trucking, Inc. and Richard Chromiak, Motion for Partial Summary Judgment (Dkt. No. 42) filed December 5, 2018;² and upon consideration of the Reply Brief of Defendants', Wolfe Trucking, Inc. and Richard E. Chromiak, in Support of Defendants' Motion for Partial Summary Judgment (Dkt. No. 51) filed with leave of this Court on December 19, 2018; and for the reasons expressed in the foregoing Memorandum,

¹ Defendants', Wolfe Trucking, Inc. and Richard E. Chromiak, Statement of Undisputed Material Facts in Support of Their Motion for Partial Summary Judgment (Dkt. No. 40-2) and Defendants', Wolfe Trucking, Inc. and Richard E. Chromiak, Memorandum in Support of Their Motion for Partial Summary Judgment (Dkt. No. 40-1) were also filed on November 15, 2018.

² Plaintiff, Eddy Pineda's Responses to Defendants' Statement of Undisputed Material Facts and Plaintiff Statements in Support of His Opposition to Defendants' Wolfe Trucking, Inc. and Richard Chromiak, Motion for Partial Summary Judgment and Plaintiff, Eddy Pineda's Memorandum of Law in Response to Defendants', Wolfe Trucking, Inc. and Richard Chromiak, Motion for Partial Summary Judgment were also filed on December 5, 2018. See Dkt. No. 42.

IT IS ORDERED that Defendants', Wolfe Trucking, Inc. and Richard E. Chromiak, Motion for Partial Summary Judgment (Dkt. No. 40) is **GRANTED**, and plaintiff's claims for negligent hiring, entrustment, training, and supervision against defendant Wolfe Trucking, Inc. contained in Count II of plaintiff's Complaint are **DISMISSED**.³

BY THE COURT:

/s/ Henry S. Perkin
HENRY S. PERKIN,
United States Magistrate Judge

³ It is the sense of this Order that Count II of plaintiff's Complaint will not be dismissed in its entirety. While this Order is intended to dismiss the claims of negligent hiring, entrustment, training, and supervision against defendant Wolfe Trucking , Inc., there appear to be additional claims contained in Count II as to Wolfe Trucking. To the extent there are claims other than those addressed by this Order, those claims shall remain.